

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 855 - SB 1275

March 12, 2009

SUMMARY OF BILL: Authorizes judges and probation and parole officers, who have a handgun carry permit with the appropriate label or stamp, to carry a handgun under the same circumstances and conditions as law enforcement officers. Definition of probation officer does not include an individual who works for a private company. Authorizes the Department of Safety (DOS) to charge an additional fee up to five dollars for processing and mailing a request for a label or stamp to place on the handgun carry permit. Creates a Class C misdemeanor punishable by a \$50 fine only for a judge or probation officer to knowingly fail to surrender a handgun carry permit or stamp should the judge or probation officer become ineligible to possess either.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Not Significant

Increase State Expenditures - \$53,600

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

Assumptions:

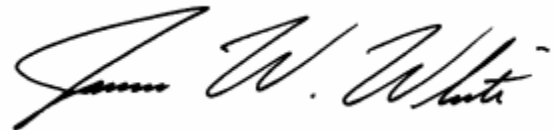
- According to the Board of Probation and Parole (BOPP), officers who opt to carry their handgun during the course of their employment will be required to attend an eight-week Police Officer Standard Training (POST) certified training course while on administrative leave at the officer's cost. These officers would also be required by BOPP to carry a minimum bond of \$1,000,000. The cost of the bond would be paid by the officer, not BOPP.
- The Board currently has 12 officer positions that are commissioned or eligible to be commissioned to carry handguns during their employment. These officers are authorized to make arrests on behalf of the Board as part of the Apprehension Unit. BOPP currently has a set of standards, policies and procedures for these armed officers.

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- According to BOPP, the current policies and procedures that apply to the Apprehension Unit would need to be revised for other officers who opt to carry their handgun at work as the job duties and goals would be different. There are approximately 800 officers who would be eligible to carry a handgun during their employment. The average salary and expense of this additional training will prevent some officers from taking advantage of this option. Officers who opt to carry their handgun at work will incur an estimated cost of \$6,000 for the initial training and for eight-weeks of administrative leave.
- In order to ensure that these officers receive the initial training, annual re-certification, and maintain the required \$1,000,000 bond, BOPP will require one additional position for further policy development, training coordination, monitoring, and evaluation. Recurring expenditures of \$53,600 include the salary and benefits (\$45,153) for a probation and parole program specialist, training (\$500), travel (\$3,000), supplies (\$1,300), telephone (\$360), interdepartmental charges (\$1,170), office space (\$1,314), and safety equipment (\$800).
- DOS will have a not significant increase in revenue as a result of the five dollar fee to mail the appropriate stamps or labels which will be offset by the cost of mailing the stamps or labels.
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees, taxes and costs collected. These expenditures and revenue are estimated to be not significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc